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Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Security Council
Fifty-fifth year

Letter dated 28 November 2000 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

In connection with the statement made by Ms. Carla Del Ponte, the Prosecutor for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia (ICTY), at a briefing at the United Nations on 21 November 2000 to the effect that the Tribunal has no agreement with the North Atlantic Treaty Organization (NATO), allow me to refer to the third annual report of the President of the Tribunal to the General Assembly and the Security Council (A/51/292-S/1996/665. On page 25 (paragraph 76), the report contains the following statement: "On 9 May 1996, a memorandum of understanding between the Tribunal and the Supreme Headquarters Allied Powers Europe (SHAPE) was signed by both parties. The memorandum spelled out the practical arrangements for support to the Tribunal and the detention and transfer of indictees to the Tribunal".

Thus the above-mentioned statement by Ms. Carla Del Ponte does not correspond to reality.

We reaffirm our position on the inadmissibility of concealing from the members of the Security Council any agreements concluded by its subsidiary organ.

I request you to arrange for the text of the above-mentioned memorandum to be issued as a document of the Security Council.

I should be grateful for the immediate circulation of the text of this letter as a document of the General Assembly, under agenda item 127, and of the Security Council.

(*Signed*) Sergey **Lavrov**

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